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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,672	03/09/2001	Hiroki Sugiyama	1035-310	4119

7590 09/25/2003

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EXAMINER

VU, KIEU D

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 09/25/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/801,672

Applicant(s)

SUGIYAMA ET AL.

Examiner

Kieu D Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The abstract is objected since it exceeds 150 words.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

3. Claim 31 is objected to for being in improper dependent form. The claims are written in the form of a preamble made to depend on another claim. The stated preamble is not given patentable weight as it fails to breathe life, meaning, and vitality into the claims. As such, the claims fail to further limit the subject matter of the claim(s) upon which they depend. See MPEP §§ 608.01(n) and 2111.02.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 30 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter since these claims 26 claim "A program" per se

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and does not positively recite that the program is stored on a medium that can be read by a machine. As such, the claimed invention is not directed to a machine readable medium or a manufacturer article.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al ("Brown", USP 6356908) and Carpenter et al ("Carpenter", USP 5754174).

Regarding claim 1, Brown teaches image information processing device, comprising display means (fig. 2); image information storage means (col 6, lines 23-27); display area providing means for providing a first display area (the left area of the window in Fig. 14) and a second display area (the right area of the window in Fig. 14) on the display means; display control means for causing first information (textual information in the left area) and second information of a plurality of sets of image information (thumbnails in the right area) stored in an image information storage region in the image information storage means to be displayed in the first and second display areas respectively (Fig. 14 and col 8, lines 60-64). Brown does not teach the change in the display order of the first and the second information. However, such feature is known in the art as taught by Carpenter. Carpenter teaches a system for individually configurable panel interfaces which comprises the change in order of the displays of

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panel interfaces when the corresponding listing in the configuration menu changes (col 2, lines 4-10; Figures 9-10). It would have been obvious to one of ordinary skill in the art, having the teaching of Brown and Carpenter before him at the time the invention was made, to modify the image information processing device taught by Brown to include the change in display order taught by Carpenter with the motivation being to present information and images in different display orders.

Regarding claims 2, 17, and 30-31, Brown teaches an image information processing device, comprising display means (fig. 2); image information storage means (col 6, lines 23-27); display control means for causing the display means to display sets of detailed information (the left area of window in Fig. 14) and identifier images (thumbnails in the right area of window in Fig. 14) (Fig. 14 and col 8, lines 60-64). Brown does not teach the change in the display order of the detail information and the identifier images. However, such feature is known in the art as taught by Carpenter. Carpenter teaches a system for individually configurable panel interfaces which comprises the change in order of the displays of panel interfaces when the corresponding listing in the configuration menu changes (col 2, lines 4-10; Figures 9-10). It would have been obvious to one of ordinary skill in the art, having the teaching of Brown and Carpenter before him at the time the invention was made, to modify the image information processing device taught by Brown to include the change in display order taught by Carpenter with the motivation being to present information and images in different display orders.

Regarding claims 3 and 18, Carpenter teaches a common display order between the detailed information and the identifier images (Fig. 9) and the change in the display order (Fig. 10).

Regarding claims 4 and 19, Brown teaches that the detailed information includes a plurality of items about this information (URL address, page size, language). Carpenter teaches the rearranging the display order of the sets of detailed information on the display screen of the display means (Figures 9-10).

Regarding claims 5 and 20, Brown teaches the extracting at least one of the identifier images according to an input from the input means and causing the display means to display the extracted identifier image (steps 625, 630, and 635 in Figure 6).

Regarding claims 6 and 21, Brown teaches means for enabling the detailed information displayed by the display control means to be selected by means of the input means (col 5, lines 8-9).

Regarding claims 7 and 22, Brown teaches search means for extracting at least one of the identifier images according to search conditions entered through the input means (col 5, lines 8-9, and Fig. 6).

Regarding claims 8 and 23, in Brown, it is inherent that, the extracting (selecting) a detailed information setting detailed information not extracted.

Regarding claims 9 and 24, Brown teaches that the detailed information extracted (Quick Launch 75) in the extract operation to be displayed in or near a first position in the row (see images of quick launch buttons 11 and 12 in dashboard 10 in Fig. 5).

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Regarding claims 10 and 25, Brown teaches means for enabling the detailed information displayed by the display control means to be selected by means of the input means (col 5, lines 8-9).

Regarding claims 11 and 26, Brown teaches the including search means for extracting detailed information (col 8, lines 60-61).

Regarding claims 12,14, and 27, Brown teaches that the image information storage means has image information storage region (col 3, lines 12-13) and that causes the display in combination the sets of detailed information and identifier images (Figures 9-10 and 14).

Regarding claim 13, Brown teaches the displaying images in different colors (col 2, lines 60-63).

Regarding claims 15 and 28, Brown teaches that the detailed information (URL address, page size, language) to be displayed in a detailed information display area (left area) and the identifier images (thumbnails) to be displayed in an identifier image display area (right area, Fig. 14).

Regarding claims 16 and 29, Brown teaches that the identifier image is a scaled-down image of the image information (thumbnails of the pages).

7. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach about thumbnail images which relate to the claimed invention.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7238 (After Final Communication)

or

(703)-746-7239 (Official Communications)

(703)-746-7240 (For Status Inquiries, draft communication)

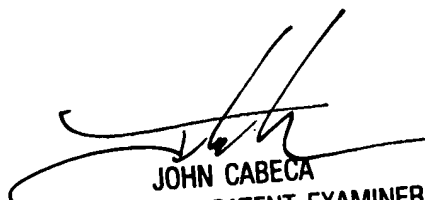
and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

Sept 10, 03


JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER